

FILED 17 DEC '19 13:54 USDC-ORP

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Portland DIVISION

Richard F. Weaver, JR

(Enter full name of plaintiff)

Plaintiff,

Civil Case No.

3.19-cv-2046-SB
(to be assigned by Clerk's Office)

v.

COMPLAINT FOR VIOLATION OF CIVIL
RIGHTS (PRISONER COMPLAINT)

ODOC cdeette peters / michael gower - ODOC

TRAI; mas Le Stealing / superintendant -
Troy Bowser / capt K. Jackson / capt EnRaquez /

TRAI counselor hillmick / Lt. Baver /

BHS Mrs Peterson / BHS POWELSON / capt Archer

EOCI; Lt. Carey / Sam M. Powell

Superintendent Mrs Brigitte Amberry

Jury Trial Demanded

☒ Yes☐ No

(Enter full name of ALL defendant(s))

Defendant(s). ET. AL

I. PARTIES

List your name, address, and telephone number below, and the same information for each defendant. Make sure that the defendant(s) listed below are identical to those contained in the caption of the complaint. Attach additional sheets of paper if necessary.

Plaintiff

Name

Richard F. Weaver, JR ^{ODOC} # 8855258

Street Address:

87911 BEACH ACCESS Rd

City, State & Zip Code:

Medalla, OR 97882-9419

Telephone No.:

541-922-2001

Complaint for Violation of Civil Rights (Prisoner Complaint)

[Rev. 01/2018]

Defendant No. 1 Name: Cedette Peters
 Street Address: Dome building
 City, State & Zip Code: Salem, OR
 Telephone No.: _____

Defendant No. 2 Name: Michael Gouze
 Street Address: Dome Building
 City, State & Zip Code: Salem, OR
 Telephone No.: _____

Defendant No. 3 Name: TROY BOWSER TRX
 Street Address: 82911 Beach Access Rd
 City, State & Zip Code: Umatilla, OR 97882
 Telephone No.: 541-922-2001

Defendant No. 4 Name: TRX Capt Mrs L. Sterling
 Street Address: 82911 Beach Access Rd
 City, State & Zip Code: Umatilla, OR 97882
 Telephone No.: _____

See Attached Additional Defendants

II. BASIS FOR JURISDICTION

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. You are bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim) ?
- ☒ State or local officials (a § 1983 claim)

Defendants

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

TRIA: MR CAPT K. JACKSON

TRIA: MR CAPT ENRIQUEZ

TRIA MR Lt. BAUER

TRIA COUNSEL MR. HILLMIER

TRIA BHS COUNSEL MRS PETERSON

TRIA MR. CAPT ARCHER

TRIA BHS POWELSON

EGCI 2560 WESTGATE
PENDLETON, OR

MR Lt. CAREY

STN MR. POWELL

SUPER. MRS BRIGHT AMSBERY

B. What federal constitutional, statutory, or treaty right(s) is/are at issue?

8th Amendment - cruel & unusual punishment / Retaliation /
Fail to protect,

III. STATEMENT OF CLAIMS

Claim I

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

*All in their individual & official capacity * All acting under the color of LAW *
Every defendant has & was directly in knowledge of my status

AS A ST R.S.S. GANG member - WHO WAS ASSAULTED BY

IPO IN 2015. All staff were directly in knowledge of me being
placed in OSU / IMU / long term and ^{then} placed in A HU

for my protection - on 12/20/17 I WAS transferred to EGCI (WY + RST)

"Active" IPO yard and was immediately assaulted - w/

injury to face & elbow - This was cruel & unusual

Retaliation for filing grievances & lawsuits and ~~not~~ are

Responsible for failing to or not providing documentation

in COOC computer of my record status and hit upon me -

Though every staff involved was notified of by me, in letters,

and my mother - AS WELL AS my grievances - They are 100% liable

Claim II

for my safety & assault - I have all numerous FACTUAL paper evidence

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

Claim III

State here as briefly as possible the facts of your case. Describe how each defendant was involved, when the conduct occurred, and any injuries you have suffered as a result. It is not necessary to give any legal arguments or cite any cases or statutes.

(If you have additional claims, describe them on another piece of paper, using the same outline.)

IV. EXHAUSTION OF ADMINISTRATIVE REMEDIES

I have filed for administrative relief as to all claims in Section III and have concluded all administrative appeals available to me.

☒ Yes

☐ No

V. RELIEF

State *briefly* exactly what you want the court to do for you and the amount, if any, of monetary compensation you are seeking. Make no legal arguments. Cite no cases or statutes.

- I WANT 1.2 million dollars in punitive and compensatory DAMAGES, ~~for~~ all defendants in their official and individual capacity -
- I immediate ODOC overhaul in computer file DOCUMENTATION to include ALL STM / STG issues not just individual -
- Immediate Removal of All gang associates in Active prisons - to be housed in one prison All by themselves to prevent ASSAULTS by active gang member - preferably OSCA
- TO have All involved FRED

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 11 day of November, 2019.

11

(Signature of Plaintiff)